IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 35899 of 2007(W)

PETITIONER:

MILKAS VARGHESE, AGED 35 YEARS,
S/O.VARGHESE, HEAD CONSTABLE 8602,
DISTRICT ARMED RESERVE CAMP, ERNAKULAM RURAL,
KALAMASSERY.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
ITS PRINCIPAL SECRETARY, HOME AFFAIRS,
SECRETARIAT, TRIVANDRUM.

2. DEPUTY GENERAL OF POLICE,
TRIVANDRUM.

3. SUPERINTENDENT OF POLICE,
ERNAKULAM RURAL, ALUVA.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 35899 of 2007

Dated this the 5th December, 2007

J U D G M E N T

The petitioner while working as Head Constable was posted near Mudikkarayi Catholic Church in Aluva-Munar Road on 26.10.2003. He contends that he suffered serious injuries when he was attacked by a mob with deadly weapons.

2. Under Exhibit-P1 order, the Government has brought an amendment to the Kerala Police Welfare and Amenity Fund Rules. Under the said Rules, the department can sanction up to an amount of Rs.20,000/- to an injured member of the Police Force as grant depending upon the gravity of the injury. Petitioner had sought for such grant. He was sanctioned an amount of Rs.10,000/-. Petitioner contends that taking note of the nature of his injury he should have been sanctioned an amount of Rs.20,000/- under Exhibit-P1 Rules. Exhibit-P3 is a representation submitted by the petitioner in this regard before the 1st respondent.

After having heard the learned Government Pleader also and taking note of the submission made by the petitioner in Exhibit –P3, this writ petition is disposed of directing the 1st

respondent to look into Exhibit-P3 in the light of the rules and call for the medical reports relating to the injury suffered by the petitioner and either to take a decision thereon by himself or direct the Head of the Department to do so. Needful shall be done in this regard, within three months from the date of receipt of a copy of this judgment.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007